

Discussion in relation to claims 2, 3, 24, 26, 30, 36, 39, 44, 51, 58, 68

During the prosecution of this re-exam/re-issue there have been many discussions regarding "family" and "compounds" as those terms relate to either DADMAC or Epi-DMA.

To provide proper clarification to the claims, while keeping all available rights to the applicant, all of said claims have been reworded as "family of compounds."

Webster's Ninth College Dictionary defines family as:

"4: a group of things related by common characteristics: as a: a closely related group of chemicals or compounds."

Further, Webster's Ninth College Dictionary defines compound, second definition, as:

"1: composed of or resulting from union of separate elements, ingredients, or parts: as a: composed of united similar elements esp. of a kind usu. independent"

As presented in the RCE, there are many methods of preparing a polyquaternary moiety. These are all well known within the industry. For example, DADMAC is manufactured from allyl chloride and di-methyl amine; a family of compounds is easily prepared by varying either the molecular chain length of the allyl or by varying the alkyl groups on the amine, i.e. allyl could have from 4 to 6 or 7 or 8 carbons and di-methyl amine could be methyl-methyl amine or methyl-ethyl amine or ethyl-ethyl amine or methyl-propyl amine, and so on. All of these combinations will create a polyquaternary amine based upon an "allyl chloride" moiety, a.k.a. a family of compounds. As another example, Epi-DMA is manufactured with epichlorohydrin and di-methyl amine; a family of compounds can be prepared by varying the alkyl groups on the amine, i.e. di-methyl amine could be methyl-methyl amine or methyl-ethyl amine or ethyl-ethyl amine or methyl-propyl amine, and so on.

It is well understood in the patent law industry that for all intents and purposes the doctrine of equivalence is practically gone. Therefore, the applicant wishes to be sure as to cover well know and easily manufactured equivalents to DADMAC and Epi-DMA.

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The best wording to perform such, given the available definitions, is "family of compounds" as defined in Webster's Ninth College Dictionary.

For ease of review by the Examiner, a copy of each page for "compound" and "family" from Webster's Ninth College Dictionary is attached.

REQUEST FOR ALLOWANCE

Allowance of the attached claims is respectfully requested. Examiner Barry is kindly invited to contact the Applicant for any items required in this prosecution.

Respectfully submitted,



Richard A. Haase, Pro Se Applicant

Date: April 4, 2004

Correspondence Address:

Richard A. Haase
4402 Ringrose Drive
Missouri City, Texas 77459
Tel: 281-261-9543
Fax: 281-261-6505

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(deputies jumping out on the hunt) 3 : STRIKE OUT 3 — fan-ear (fan-
 ear n [prob. short for *fanoir*] (1682) 1 : an enthusiastic devotee (as
 of a sport or a performing art) usu. as a spectator 2 : an ardent admirer
 or enthusiast (as of a celebrity or a person) (*science-fan fanaticism*)
 fan-base (fan-'ba-sik-i or fan-'ba-sel-i) adj [*f. fanatics* inspired by a
 deity, frenzied, fr. *fanum* temple ~ more at FEAST] (1550) : marked by
 excessive enthusiasm and often intense uncritical devotion (they're
 about politics) — fanbase n — fan-bel-i-k-i (-k-i-jē) adv — fan-
 bel-i-tat-ion (fan-'bi-lə-tay-shən) n (1652) : fanatic outlook or behavior
 fan-blitz (fan-'bliz-ər) v [*-blitz*, esp.-lang (1912)] : to cause to flash
 fan-chief (fan-'tʃif-ər) n (1765) 1 : one that has a special thing to
 interest 2 : a person who breeds or grows a particular animal or plant
 fan-club (fan-'klab) n (1937) : marked by fancy or unrestrained
 imagination rather than by reason and experience 2 : existing in fancy
 only 3 : marked by or as if by fancy or whim (gave ~ rams to my
 children) *cf.* see IMAGINARY — fan-childly (-lī-) adv — fan-child-
 ly (fan-'tʃil-i) adv (1937) 1 : with fancy or imagination esp.
 when studied or affected 2 : in an elaborate or ornate manner
 fan-ci-ful (-fəl-əs) n (1943) : fancy quality or form
 fan-cy (fan-'si) n, pl *fancies* (ME *fantasia, fonsiy fantasie, fance, b.*
MF fantasia fr. L *phantasia*, fr. GK *phantasia*, imagination, fr. *phain-*
esthai to present to the mind (middle voice, to imagine), fr. *phantazein* to
 present to one's eye, from rather than reason; INCLINATION (looks ~ in
 the strange little animal) b : amorous fondness 1095 2 : a woman
 who wears a fanciful costume c : a mode of dress d : a decorative
 article e : fantastic quality or state 4 : as imagination cap. of expec-
 tations or delusive sort h : the power of conception and representation
 i : expressions (as in a poem) 5 : TASTE JUDGMENT 6 : the
 devotees of some particular art, practice, or amusement 6 : the
 subject of interest of such a fancy esp. a FUGLION
 fan-y fan-wed-ded, fan-wy-ging (14c) 1 : to have a fancy for 2 : LIKE 2 : to
 form a conception of 3 : IMAGINE (~ our embellishment) 3 a : to
 believe mistakenly without evidence b : to believe without basis
 c : to think of as being better than it really is d : to visualize or incor-
 porate as (fancied myself a childless man) *cf.* see FANTASY
 fan-zey adj fan-zey, -est (1646) 1 dependent or based on last
 WHIMICAL 2 s : NOT plain 3 ORNAMENTAL (a ~ hairdo) b : of
 particular excellence or highest grade (~ ruin) c of an animal or plant
 bred esp. for bizarre or ornamental qualities that lack practical utility
 d : pertaining to the sense of fancy (~ sketches) 4 s : dressing in
 fancy goods b : above the value the usual market price; esp. in
 TRAVELING (paying ~ prices for inferior goods) c : excellent tech-
 nical skill and superior grace (~ diving) 6 : PART-COATED (-
 maramions)
 fancy dress n (1790) : a costume (as for a masquerade) chosen to suit
 the theme of the dance
 fan-cy-free ('(ō-se-'ni-) adv (1590) 1 : free from amorous attach-
 ment or engagement 2 : free to imagine or fancy
 fancy man (c. ca. 1811) : a woman's paramour; also : a man
 who makes a profession of being so
 fancy woman n (1812) : a woman of questionable morals; specif : one
 who works
 fan-work (fan-(ō)-wɔrk) n (1810) : decorative needlework
 fan-zago (fan-'dæg-'lə) n, pl *-zagos* [Sp] (1774) 1 : a lively Spanish
 minstrel-African dance in triple time that is usu. performed by a man
 and a woman with the accompaniment of guitar and castanets; also : the
 pair for this dance 2 : TOASTMASTER
 fan-dom (fan-'dam) n (1903) : all the fans (as of a sport)
 fan (fan' n (ME, fr. L *Antium* ~ more at FEAST] (15c) 1 : TEMPLE 2
 CHURCH
 fan (-fan-'le) n, -lezh (n [F] (1605) 1 : a showy outward digress
 in a show or discourse
 fan-on-aide (fan-'jə-nə-'naid-, -naid-) [F *fanfaronades* lit. Sp *fanfa-*
rada fr. *fanfarón* braggart] (1632) : empty boasting : BLATANT
 bold (fan-'lənd) n (1925) : paper (as business forms or tape) torn
 from a web and folded like a fan lengthwise and sometimes crosswise
 fan (fan' n (ME, that which is taken, fr. OE *stian* to OHG *stian* *we*
 fan, OE *fān* to seize ~ more at FACT] (1355) 1 : one that has
 sought : (1) : one by which an animal's prey is seized and held a
 (2) : one of the long hollow or grooved and often serrated tooth of
 venomous snake b : one of the chelicerae of a spider as the tip of
 its pincers c : one of the gland openings 2 : the root of a tooth or one of the pe-
 tioles or prongs of which a root divides 3 : a projecting tooth
 — fanged (fan-'d) adj
 fan-y (fan-'yū) n [Fr. fr. *fanon* mantle, penon, of Gmc origin; akin
 OHG *fano* cloth ~ more at VASE] (1706) : a small flag used by
 officers and surveyors to mark positions
 fan-engine (fan-'en-jin) (1862) 2 : a jet engine having a fan that operates
 directly and draws in the air
 fan-fan thrust 2 : an airplane powered by a fan-jet engine
 fan-letter n (1932) : a letter sent to a public figure (as in sports or in
 music) by an admirer
 fan-light (fan-'lit) n (1819) : a semicircular window with radiating panes
 fan-lock n (1924) : a device that is placed over a door or window
 fan-mail n (1924) : PAN LETTERS
 fan-y (fan-'y) n, pl *fanzies* [perh. fr. *Fanna* nickname of *Fanny*
 BUTTERICK]
 fab-u-lous (fab-'byə-ləs) adj [*fantastic + fabulous*] slang (19th
 century) usually good
 fab-u-lously (fab-'byə-ləs-lē) adv (1728) 1 : in a stamped tail or end 2 : a count-
 ing having a broad rounded tail often with 30 or 40 feathers 3 : a
 mythical part resembling a fan 4 : a counter or other overhang
 of a shaped like a duck's bill
 fab-y (fab-'y) n [Chin (Peop.) *fan-yueh*] (1978) 1 : a Chinese
 board game played with dice and sticks divides a pile of objects (as bones)
 and players bet on what number will appear on the top of the dice

[illegible]